

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

PHE, INC.,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Case No. 4:13CV1659 JAR
	)	
CHRIS ORTEGA,	)	
	)	
Defendant.	)	

**JUDGMENT**

This matter is before the Court on Plaintiff's Motion and Memorandum for Default Judgment Against Defendant Chris Ortega (ECF No. 8). The Clerk of the Court previously entered an Order of Default [7] on November 20, 2013. Having reviewed Plaintiff's Motion and Memorandum for Default Judgment, including the supporting declaration, and heard oral argument on this date, the Court finds that Plaintiff has provided sufficient evidence to support the requested award, except the Court finds for the reasons stated on the record that Plaintiff has not presented sufficient evidence that Defendant's infringement was willful. The Court, therefore, reduces the requested statutory damages award to \$750.00.

Accordingly,

**IT IS HEREBY ORDERED** that Plaintiff's Motion for Default Judgment [8] is **GRANTED**, in part, and Judgment is entered in favor of Plaintiff PHE, Inc.

**IT IS FURTHER ORDERED** that Plaintiff is entitled to \$750.00 in statutory damages for Defendant's infringement on Plaintiff's Copyright.

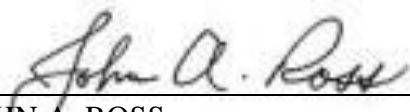
**IT IS FURTHER ORDERED** that Plaintiff is entitled to \$993.00 for Plaintiff's costs and attorneys' fees.

**IT IS FURTHER ORDERED** that Defendant is permanently enjoined from directly or contributorily infringing Plaintiff's rights in the copyrighted Motion Picture at issue in this lawsuit, including, without limitation, by the internet, BitTorrent or any other online media distribution system to reproduce, download, or distribute the Motion Picture, or to make the Motion Picture available for distribution to the public, except pursuant to a lawful license or with the express authority of Plaintiff.

**IT IS FINALLY ORDERED** that Defendant shall destroy all copies of the Motion Picture made or used by him in violation of PHE's exclusive rights, as well as all masters in his possession from which such copies may be reproduced.

The Court awards a total judgment in favor of Plaintiff PHE, Inc. and against Defendant Chris Ortega in the amount of **\$1743.00**.

Dated this 21st day of February, 2014.

  
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JOHN A. ROSS  
UNITED STATES DISTRICT JUDGE